

was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Williamson.

Petitions and Memorials.

(See Appendix.)

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By Senator Hardin:

S. J. R. No. 16, To amend Section 51 of Article 16 of the Constitution of Texas, limiting the exemptions of homesteads to property the value of which shall not exceed Five Thousand (\$5,000.00) Dollars; providing for its submission to the voters as required by the Constitution, and making an appropriation therefor.

Read and referred to the Committee on Constitutional Amendments.

By Senator Woodul:

S. J. R. No. 17, Proposing to amend Section 50, Article 3, of the Constitution of the State of Texas to

mittee on Constitutional Amendments.

By Senator Neal:

S. J. R. No. 18, Pro amendment to Section 9 of the Constitution, authorizing an additional levy to taxes by the subdivisions of the State not to exceed two mills on the One Hundred Dollar valuation; calling for a referendum providing for an election for the purpose of submitting said amendment to the people; providing in such manner thereof, and making an appropriation therefor.

Read and referred to the Committee on Constitutional Amendments.

By Senator Williamson:

S. B. No. 209, A bill to amend the Constitution of the State of Texas, "An Act regulating the equipment and operation of motor vehicles, tractors, trailers, trailers, motorcycles and other vehicles in this State, prescribing the rules governing such vehicles between the hours of half-hour after sunset and half-hour before sunrise; providing for the testing and approval of such equipment for such vehicles; providing the manner in which such equipment for such vehicles shall be approved; designating a department of light equipment testing and approval in the State of Texas; providing for the establishment of light testing stations for the inspection and adjustment of lighting equipment for such vehicles; providing penalties for the violation of the provisions of this Act; repealing Chapter 26 of the General Laws of Texas passed at the Regular Session of the 39th Legislature; and all other laws inconsistent herewith; and declaring an emergency."

Read and referred to the Committee on Highways and Motor Vehicles.

By Senator Cousins:

S. B. No. 210, A bill to amend the Constitution of the State of Texas, "An Act to amend Article 1, Chapter 8, Title 50, Revised

Statutes of 1925, and declaring an emergency."

Read and referred to the Committee on Privileges and Elections.

By Senators Hopkins and Holbrook:

S. B. No. 211, A bill to be entitled "An Act to amend Article 3101, 3102, 3106, 3111, 3112, 3113, 3114, 3115, 3116, 3117, 3134, 3136, 3137, 3138, 3139, 3140, 3146 and 3152 of Title 50, Chapter 13 of the Revised Civil Statutes of Texas of 1925, relating to Primary Elections, and to repeal Articles 3089, 3090, 3091, 3092, 3093, 3094, 3095, 3096, 3097, 3098 and 3099 of said Title 50, Chapter 12, of said Statutes, and all other laws and parts of laws in conflict therewith, and to declare an emergency."

Read and referred to the Committee on Privileges and Elections.

By Senator Patton:

S. B. No. 212, A bill to be entitled "An Act creating a Public Utilities Commission regulating cotton gins; providing for the appointment of Commissioners; prescribing their powers, duties, salaries, terms of office, and employees; providing for the reports and keeping of records; providing for the regulation of the operation, rates and other general regulation of gins, and for the licensing of same and the revocation or suspension thereof; providing procedure; providing for the adoption of rules and regulations for the enforcement hereof; prescribing offenses, fines and penalties for violating said rules and the provisions hereof, and providing for the general enforcement hereof, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senators Hornsby, Berkeley, Williamson and Parr:

S. B. No. 213, A bill to be entitled "An Act to provide for the sale, development and patenting of mineral deposits, placers, veins, lodes, or any rock carrying metallic or non-metallic substances of value, except oil, natural gas, coal and lignite that may be in any of the land of the public free school fund, University fund and the several Asylum funds, all State land belonging to or under the jurisdiction and control of the

Prison Commission of this State, or the Board of Trustees for the State Institution for the training of Juveniles, and all other lands belonging to the State and administered by other Boards, that may have been heretofore sold or disposed of by the State with the reservation of minerals therein, and all lands of which the mineral rights therein have or shall have reverted to the State of Texas, and said mineral substances that may be in any islands and river beds and channels which belong to the State, providing penalties, repealing all laws in conflict with this Act and declaring an emergency."

Read and referred to the Committee on Mining, Irrigation and Drainage.

By Senator Hornsby:

S. B. No. 214, A bill to be entitled "An Act to provide for a permanent record of all marriages and divorces in the State of Texas; to prescribe the manner in which such records shall be preserved; to prescribe the duties of officials handling such records; to provide for a fund to maintain the Bureau of Vital Statistics and to provide for the manner in which such fund shall be handled; to prescribe such other requirements as may be necessary to secure a complete and permanent and perpetual record of every birth, death, marriage and divorce in the State of Texas; making the violation of any of the provisions of this Act a misdemeanor, and prescribing a punishment therefor; providing for the collection and disposition of fees; providing for the general enforcement of the provisions hereof; repealing all laws in conflict herewith; making an appropriation and declaring an emergency."

Read and referred to Committee on State Affairs.

By Senator Beck:

S. B. No. 215, A bill to be entitled "An Act creating the Dallas State Hospital to be composed of the Dallas Psychopathic Hospital created by Article 3192 and the State Cancer and Pellagra Hospital created by Chapter 185, Acts of the Regular Session of the Forty-first Legislature, and such other institutions as may be created by the Legislature hereafter, and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Holbrook:

S. B. No. 216, A bill to be entitled "An Act regulating the operation of trucks, trailers, and semitrailers upon the highways, prescribing additional lights for such vehicles, requiring flares while standing on highways, requiring license for the operators of such vehicles, requiring indemnity insurance to protect persons and property from damage caused by the unlawful operation of such vehicles, prescribing length of hours that operators may operate such vehicles, further limiting the size and weights of such vehicles, prescribing the kind of tires to be used, requiring the classifying of highways, and proper marking of such, providing for an increase in state patrol force."

Read and referred to Committee on Highways and Motor Traffic.

By Senator Holbrook:

S. B. No. 217, A bill to be entitled "An Act to amend Chapter 8, page 12 of the Acts of the Regular Session of the Fortieth Legislature of the State of Texas, changing the time of holding the terms of the District Court of the 23rd Judicial District of Texas, and declaring an emergency."

Read and referred to Committee on Judicial Districts.

By Senator Holbrook:

S. B. No. 218, A bill to be entitled "An Act amending Article 4725 of the Revised Civil Statutes of 1925; designating the securities in which that if a domestic life insurance companies may be invested; providing that if a domestic life insurance company reinsures the business and takes over the assets of another life insurance company, either domestic or foreign, the reinvestments of such company so taken over and reinsured, if authorized, when made, by the laws of the State of its incorporation, shall be considered as valid securities of the domestic company so taking it over."

Read and referred to Committee on Insurance.

By Senators Martin and Russek:

S. B. No. 219, A bill to be entitled "An Act for the prevention of the fraudulent operation or use of auto-

matic vending machines, slot machines, coin-box telephones or coin receptacles, or making or furnishing devices to defraud owners, lessees or licensees of the same, and prescribing penalties for the violation of the provisions thereof; and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Martin:

S. B. No. 220, A bill to be entitled "An Act creating the office of criminal district attorney in those counties which constitute at least one and not more than two separate judicial districts within themselves in which there is not now a district attorney; providing that the present county attorney in those counties, who performs the duties of county and district attorney, shall qualify as criminal district attorney, remain in office and take the oath and give the bond required of district attorneys by the Constitution and laws of Texas, organize their forces and continue the work as criminal district attorneys until their successors are elected and qualified; providing for the election of a criminal district attorney at the next general election; providing for the qualifications and oath of said criminal district attorney; and providing that such officers shall be commissioned by the Governor; providing that county attorneys affected by this Act shall hereafter be known as criminal district attorneys; providing for the powers, duties and compensation of such officers, etc., and declaring an emergency."

Read and referred to Committee on Criminal Jurisprudence.

By Senator Martin:

S. B. No. 221, A bill to be entitled "An Act providing for a rural school supervisor in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor; providing for visits to schools of the county and work in cooperation with teachers; prescribing the salary of said supervisor and how it shall be paid; providing other things incidental to said purpose; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senators Woodul and William-son:

S. B. No. 222, A bill to be entitled "An Act fixing the number and term of office of school trustees of independent districts having a population of more than 200,000 by the Federal census of 1930; adjusting the terms of trustees to conform to the provisions of this Act; providing for filling of all vacancies in office; repealing all laws in conflict herewith; and declaring an emergency."

Read and referred to Committee on Educational Affairs.

By Senator Woodul:

S. B. No. 223, A bill to be entitled "An Act amending Article 2666 of the Revised Statutes of Texas of 1925, said article relating to new school districts created at eleemosynary institutions in emergency."

Read and referred to Committee on Educational Affairs.

By Senator Woodul:

S. B. No. 224, A bill to be entitled "An Act prescribing the procedure of filing pleas to the jurisdiction of the court in lawsuits; providing the means and manner thereof, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 225, A bill to be entitled "An Act regulating the manufacture, sale, possession, offering for sale, selling or otherwise dealing in products or articles of food containing added sucrose as one of the ingredients when sweetened with any other sugar than sucrose; providing for the labeling of the same and for the condemnation, confiscation and sale thereof and the procedure therefor; providing for fees of officers charged therewith; providing for presumptions; providing for the general enforcement thereof; prescribing offenses, fines, penalties and punishment; and declaring an emergency."

Read and referred to Committee on Public Health.

By Senator Woodul:

S. B. No. 226, A bill to be entitled "An Act amending Article 2020, Chapter 2, Title 42, Revised Civil Statutes of 1925, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 227, A bill to be entitled "An Act to amend Article 2645, Chapter 26, of the 1925 Revised Civil Statutes of the State of Texas, so as to provide that if upon the settlement of the final account of any executor or administrator, the heirs, devisees or legatees of an estate, or their assignees, do not appear or who are not represented in the court, and where any lands, or any interest or estate therein owned by such estate, which the court shall by its order determine cannot be sold by the executor or administrator at a fair or reasonable price, the court may by its order, direct such property to be escheated directly to the State without a sale thereof, etc."

Read and referred to Committee on Civil Jurisprudence.

By Senator Woodul:

S. B. No. 228, A bill to be entitled "An Act providing conditions upon which fire insurance companies shall transact business in this State by amending Chapter 10 of Title 78 of the Revised Civil Statutes of Texas of 1925 by adding thereto certain articles; and by amending Article 4879, and in such amendments to define the terms recording agent and solicitor; and authorize the Board of Insurance Commissioners to prescribe the maximum rates of commission or other remuneration which shall be payable by any stock fire insurance company authorized to do business in this State to its recording agents; authorize the Board of Insurance Commissioners to prescribe the maximum rates of commission or other remuneration which may be paid to solicitors, et cetera."

Read and referred to the Committee on Insurance.

By Senator Parr:

S. B. No. 229, A bill to be entitled "An Act to amend Article 722 of the Revised Civil Statutes of the State of Texas of 1925, providing that the issuance of certain county bonds shall be based upon and limited by the taxable values of the county, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Parr:

S. B. No. 230, A bill to be entitled "An Act to amend Section 1 and 2

of Chapter 304 page 678 et seq. of the Acts of the Regular Session of the 41st Legislature of the State of Texas, so as to include onion and spinach seed and include in addition to the other data to be shown the year in which such seed were grown, and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

By Senator Parr:

S. B. No. 231, A bill to be entitled "An Act requiring that Bermuda Onions shipped or sold in containers shall show thereon the name and address of the grower or shipper and the grade or classification and providing penalty and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

By Senator Moore:

S. B. No. 232, A bill to be entitled "An Act to provide for making the rolls and summaries of the scholastic census of the public schools; to provide for making affidavits supporting said rolls and summaries, and prescribing a penalty for making a false affidavit; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

By Senator Moore:

S. B. No. 233, A bill to be entitled "An Act to amend Article 2829, Revised Civil Statutes of Texas, providing for giving of bond by county depository for school funds, etc."

Read and referred to the Committee on Educational Affairs.

By Senator Moore:

S. B. No. 234, A bill to be entitled "An Act amending Article 198, Title 8, of the Revised Civil Statutes of 1925, changing the said districts therein and creating the 12th Supreme Judicial District; providing for the appointment and qualifications of judges of said courts; providing for the terms and transfer of cases to said new courts; regulating appeals and other proceedings originating in Dallas County which are placed in the 5th and 12th Districts; adjusting other districts in conformity with the creation of said new district; providing for the apportionment of appeals from the 5th and

12th districts; providing for quarters and library for said court, and declaring an emergency."

Read and referred to the Committee on Judicial Districts.

By Senator Hopkins:

S. B. No. 235, A bill to be entitled "An Act declaring the public policy of this State with respect to provisions in Deeds of Trust, Debentures, mortgages, assignments and transfers of property, executed to secure the payment of bonds, debentures or other obligations issued thereunder, vesting in the trustee named therein, the exclusive right to institute any and all suits, at law or in equity, necessary or proper to enforce the covenants and agreements therein made, or to liquidate the trust therein created, and denying to the holders of such bonds, debentures or obligations, the right to institute or prosecute such suit or suits, and declaring an emergency."

Read and referred to the Committee on State Affairs.

By Senator Oneal:

S. B. No. 236, A bill to be entitled "An Act to authorize any drainage district heretofore created or which may be hereafter created under the provisions of Chapter 7, Title 128 of the Revised Civil Statutes 1925, and which at the time of its creation, has become a conservation and reclamation district under the provisions of Chapter 8, Title 128 aforesaid, or which may after its creation, pursuant to law now or hereafter in force, become such conservation and reclamation district, to levy all taxes of such district on a benefit basis, that is to say on an equal and uniform basis or rate on such acre of land within said district, instead of an ad valorem basis as now provided by law, to provide the method for the determination thereof, to repeal all laws in conflict herewith, and to declare an emergency."

Read and referred to the Committee on Mining, Irrigation and Drainage.

By Senator Cunningham:

S. B. No. 237, A bill to be entitled "An Act authorizing counties, acting through their commissioners courts, to purchase seed to be planted on farms in such counties by residents thereof, who are poor and unable

to procure same and to purchase feed for the work stock of such residents, and prescribing the terms and conditions, rules and regulations, by which such seed and feed will be furnished said residents of the counties who are poor and unable to procure the same; authorizing counties to use their general funds for this purpose, where they have such funds; authorizing them to issue warrants against such funds if such counties will have the same when the taxes for the years 1930 and 1931 are collected; conferring certain powers and prescribing certain duties, relative to the administration of this Act, on the commissioners' courts and the county clerks of the various counties of the State; defining the terms of the application and the contract by which residents of the counties acting within the purview of this Act may obtain seed and feed hereunder, and providing for the payment therefor by such persons; conferring certain power and authority upon the county tax collectors and county attorneys relative to the administration of this Act; providing the terms and conditions upon which the State will advance certain amounts to the various counties of the State to augment the funds provided for the purchase of seed and feed and the distribution of same hereunder, and the terms and conditions thereof; prescribing certain duties for the Governor of Texas, the State Treasurer, the Comptroller of Public Accounts and the Attorney General of the State of Texas, relative to the administration of this Act; providing for the repayment to the State of funds advanced by it; defining and creating certain offenses for violations of the terms of this Act, and providing punishment therefor; stating when operation may be commenced under this Act and when the distribution of seed and feed hereunder shall cease; making an appropriation for carrying out the purposes of this Act; and declaring an emergency."

Read and referred to the Committee on Agricultural Affairs.

By Senator Patton:

S. B. No. 238, A bill to be entitled "An Act to give and grant to J. W. Howard and his wife, Maude Howard, leave and permission to prose-

cute, in the proper courts of Houston County, Texas, suit against the State of Texas, and D. K. Martin, Cone Johnson and W. R. Ely, as Highway Commissioners of the State of Texas, in their official capacity only for personal injuries to the wife Maude Howard and damage to their automobile; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

By Senator Greer:

S. B. No. 239, A bill to be entitled "An Act renewing and extending oil and gas permit Number 13594 issued by the Commissioner of the General Land Office of the State of Texas on the 23rd day of August, A. D. 1928, covering forty seven (47) acres of land in the bed of the Neches River, located in Anderson and Cherokee Counties, Texas, for an additional period of two years from and after the present date of expiration of said permit, and declaring an emergency."

Read and referred to the Committee on Public Lands and Land Office.

Senators Excused.

The following Senators were excused for the day on account of important business:

Senator Small, on motion of Senator Hornsby.

Senator Woodward, on motion of Senator Williamson.

Simple Resolution No. 32.

Senator Purl sent up the following resolution:

Mr. President and Members of the Senate:

I am instructed by the Caucus of Senators held in the Secretary's room February 4th to recommend to the Senate that a Committee composed of Senators Moore, Rawlings and Purl be authorized to arrange for the printing of all general bills immediately after their introduction and before same is considered by the respective committees. The number of bills to be printed not to exceed two hundred and fifty copies.

The printing of these preliminary bills is in no sense to be interpreted as superseding or taking the place

of bills that are printed in the usual manner after receiving a favorable report from the respective committees.

PURL.

Read and adopted.

Simple Resolution No. 33.

Senator Moore sent up the following resolution:

Whereas, Texas has numbered among her illustrious citizens many whose contribution to civilization will live throughout eternity, and among these there is none who has so impressed his generation as that genial and universally loved citizen, Hugh Nugent Fitzgerald; and

Whereas, Hugh Nugent Fitzgerald has been a factor in moulding public opinion in Texas for half a century, as managing editor of the Dallas News; as editor of the Fort Worth Record; as editor and publisher of the Wichita Falls News-Record, and as editorial writer for a large number of other Texas newspapers; and

Whereas, Hugh Nugent Fitzgerald has been a courageous, fearless and outspoken worker and devotee to the upbuilding of Texas and all of her interests, guided by the State's greatness and her possibilities as a leader in the economic, social, moral, educational, commercial, political, agricultural and other fields; and

Whereas, Hugh Nugent Fitzgerald has at all times and on all occasions insisted upon the highest ideals in public affairs, and in holding inviolate and unsullied the honor and integrity of his adopted State; and

Whereas, Hugh Nugent Fitzgerald in 1927 published a book entitled: "Governors I Have Known," portraying his interpretation of Texas' Chief Executives from the administration of the lamented James Stephen Hogg to the present, thus contributing a valuable study of leadership in Texas affairs for the benefit of those who should follow; and

Whereas, A portrait of Hugh Nugent Fitzgerald has been provided by his friends and admirers to be presented to the Senate of Texas in recognition of the service to the State as a citizen and as an official; therefore be it

Resolved, By the Senate that we fix Tuesday, February 10, 1931, at 11:30 a. m. o'clock, as the time for

presentation of the portrait to the Senate; that Col. and Mrs. Fitzgerald be apprised of this occasion; and that members of the House of Representatives be invited to witness and participate in the exercises; be it further

Resolved, That a copy of this resolution be enrolled and presented to Col. and Mrs. Fitzgerald.

MOORE,
RUSSEK,
PARRISH,
HORNSBY,
WOODWARD.

Read and adopted.

Simple Resolution No. 34.

Senator Stevenson sent up the following resolution:

Whereas, The present delay in the consideration of general bills in the Senate makes it apparent that under the rules now prevailing, there will not be time for proper consideration of general bills including the Appropriation bills during the last 60 days of the session, and

Whereas, The Senate has provided for a preliminary printing of all general bills,

Therefore, Be it resolved that when a bill has been referred to a committee, printed and sufficient notice of the hearing thereon has been given, and if the bill is then reported favorably by the Committee, the bill shall be entitled to be placed on the calendar and finally considered by the Senate under the rules without the necessity of a four-fifths vote thereon as a preliminary to such consideration. This rule shall apply only during the first 60 days of the Regular Session of the Senate.

STEVENSON.

The resolution was read.

Senator Woodul raised the point of order that the resolution should be referred to the Committee on Rules.

The Chair sustained the point of order.

Senator Stevenson moved to refer the resolution to the Committee on Rules.

Senator Woodruff moved not to refer the resolution but to take the resolution up at once.

The Chair held that the motion was out of order.

The motion to refer prevailed.

Motion to Reconsider.

Senator Berkeley moved to reconsider the vote by which Simple Resolution No. 32 was adopted.

Senator Purl raised the point of order that Senator Berkeley voted with the losing side.

The Chair overruled the point of order on the ground that no record vote was taken.

The motion to reconsider was lost by the following vote:

Yeas—11.

Berkeley.	Moore.
Gainer.	Parrish.
Greer.	Poage.
Hardin.	Pollard.
Hornsby.	Woodruff.
Loy.	

Nays—12.

Cunningham.	Patton.
DeBerry.	Purl.
Hopkins.	Rawlings.
Martin.	Stevenson.
Oneal.	Williamson.
Parr.	Woodul.

Absent.

Beck.	Neal.
Cousins.	Russek.
Holbrook.	Thomason.

Absent—Excused.

Small.	Woodward.
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Simple Resolution No. 35.

Senator Patton sent up the following resolution:

Whereas, The head doorkeeper of the Senate of the State of Texas has for many years received as his compensation therefor the sum of Ten (\$10.00) Dollars per day, which is fair and reasonable pay for such service, since the head doorkeeper has many others under his charge and it requires practically fourteen (14) hours per day of his time; now, therefore, be it

Resolved by the Senate of the State of Texas: That said head doorkeeper receive as his compensation the sum of Ten (\$10.00) Dollars per day as heretofore, and that his compensation be paid out of the funds provided for that purpose.

PATTON,
GREER,
THOMASON,
and others.

The resolution was read.

Recess.

On motion of Senator Woodul, the Senate, at 12 o'clock noon, recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by President Pro Tem. Carl Hardin.

Simple Resolution No. 35.

The question recurred on the adoption of Simple Resolution No. 35.

On motion of Senator Patton, the resolution was laid on the table subject to call.

Senate Bill No. 166.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 166, A bill to be entitled "An Act making certain appropriations out of the general revenues of the State of Texas for the several institutions and departments of State Government as named herein for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Read second time and, on motion of Senator Beck, laid on the table subject to call.

Senate Bill No. 167.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 167, A bill to be entitled "An Act making certain emergency appropriations out of the State Treasury for the several departments of the State of Texas as named herein, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Read second time and, on motion of Senator Beck, laid on the table subject to call.

Senate Bill No. 186.

The Chair laid before the Senate on its second reading the following bill:

By Senator Beck:

S. B. No. 186, A bill to be entitled

"An Act making certain emergency appropriations out of any money in the State Treasury for the several departments of government, and certain institutions of the State of Texas, as herein named, for the balance of the fiscal year ending August 31, 1931, and declaring an emergency."

Read second time and, on motion of Senator Beck, laid on the table subject to call.

Senate Bill No. 152.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodul:

S. B. No. 152, A bill to be entitled "An Act to amend the Harris County Road Law, Chapter 17, Acts of the Regular Session of the Thirty-third Legislature of the State of Texas, as amended by Chapter 117, Acts of the Regular Session of the Fortieth Legislature, by amending Sections 9 and 10 of said Chapter 17 with respect to the method of making purchases of materials and supplies and the awarding of contracts therefor; a preparation of a budget and the manner of operation; the keeping of an inventory of county property, et cetera."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 152 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Miller.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.

Woodward.

Read third time and passed finally by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.

Woodward.

Senate Bill No. 157.

The Chair laid before the Senate on its second reading the following bill:

By Senator Gainer:

S. B. No. 157, A bill to be entitled "An Act to fix the salary of the Superintendent of Public Instruction in each county in Texas having a population of not less than 13388 nor more than 13393, according to the Federal Census of 1930; providing for office assistants and salaries; providing for office expenses; repealing all laws in conflict herewith and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Gainer, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 157 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Rawlings.
Oneal.	Russek.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Poage.	Woodruff.
Pollard.	Woodul.
Purl.	

Absent—Excused.

Small.	Woodward.
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Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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Senate Bill No. 158.

The Chair laid before the Senate
on its second reading the following
bill:

By Senator Beck:

S. B. No. 158, A bill to be entitled
"An Act validating, ratifying and
approving the acts and proceedings
of the county board of school trustees
relating to consolidation of com-
mon school districts in certain coun-
ties; ratifying and validating all bond
and tax elections and the levy of
taxes pursuant thereto; and declar-
ing an emergency."

The committee report was adopted.

The bill was read second time and
passed to engrossment.

On motion of Senator Beck, the
constitutional rule requiring bills to
be read on three several days was
suspended and S. B. No. 158 was put
on its third reading and final pas-
sage, by the following vote:

Yeas—29.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	

Absent—Excused.

Small.	Woodward.
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Read third time and finally passed
by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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Senate Bill No. 39.

On motion of Senator William-
son, the constitutional rule relating
to the passage of general bills during
the first sixty days was suspended
by the following vote:

Yeas—29.

Beck	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.

Woodward.

The Chair laid before the Senate on its second reading the following bill:

By Senator Williamson:

S. B. No. 39, A bill to be entitled "An Act amending Section 3, Chapter 88, Acts of the Second Called Session of the Forty-first Legislature, by adding thereto Section 3-Aa, providing that before issuing any license plates to those exempt by law from the payment of registration fees on motor vehicles, the approval of the State Highway Department shall be had, and providing for the revocation of license fee receipts and the recalling of plates delivered to such persons, and the means and manner thereof, prescribing offences and penalties and declaring an emergency"

The bill was read second time and passed to engrossment.

On motion of Senator Williamson, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 39 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.

Woodward.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.

Poage.
Pollard.
Purl.
Rawlings.
Russek.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.

Absent—Excused.

Small.

Woodward.

Senate Bill No. 16.

Senator Oneal called up from the table the following bill:

By Senator Oneal:

S. B. No. 16, A bill to be entitled "An Act to provide for the nomination of Directors of Water Improvement Districts to serve under the provisions of Chapter 2, Title 128 of the Revised Civil Statutes of Texas, 1925, and to repeal all laws in conflict therewith."

Read and finally passed by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.

Woodward.

Senate Bill No. 84.

On motion of Senator Woodruff, the rule requiring Committee reports to lie over 24 hours was suspended and the Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff:

S. B. No. 84, A bill to be entitled "An Act to allow Office and Travel-

ing Expenses of the Superintendents of Public Instruction in each county in Texas having a population of not less than 18,755 nor more than 18,765 according to the Federal Census of 1930; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The committee report was adopted. The bill was read second time.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 84 by adding after the figures 18765 line 3, section 1, the following: and not less than 32,820 nor more than 32,825, and not less than 17,575 nor more than 17,580; and amend the caption to conform.

WOODRUFF.

Read and adopted.

The bill as amended was passed to engrossment.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and S. B. 84 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.
Oneal.
Parr.
Parrish.
Patton.
Poage.
Pollard.
Purl.

Rawlings.
Russek.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.

Absent—Excused.

Small. Woodward.

Simple Resolution No. 32.

Senator Purl moved to reconsider the vote by which the Senate refused to reconsider the vote by which the Senate failed to adopt S. R. No. 32.

The motion prevailed.

The motion to reconsider prevailed.

Senator Berkeley sent up the following amendment:

Amend Simple Resolution No. 32, Line 4, by striking out all after the word "bills" in said line down to and including lines 5 and 6 and substitute the following: Which in the judgment of the several committees to which they have been referred should be ordered printed in advance of final consideration by said committee, or upon the written request of three Senators lodged with the secretary of the Senate, said bill or bills shall be ordered printed.

BERKELEY.

Read and adopted.

The resolution as amended was adopted by the following vote:

Yeas—28.

Beck.	Neal.
Berkeley.	Oneal.
Cousins.	Parr.
Cunningham.	Parrish.
DeBerry.	Patton.
Gainer.	Poage.
Greer.	Pollard.
Hardin.	Purl.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.

Nays—1.

Rawlings.

Absent—Excused.

Small. Woodward.

Senate Bill No. 148.

On motion of Senator Moore, the rule requiring Committee reports to lie over 24 hours was suspended and the Chair laid before the Senate on its second reading the following bill:

By Senator Parr:

S. B. No. 148, A bill to be entitled "An Act to fix the jurisdiction of the juvenile court in Cameron County in the district court of Cameron County for the 103rd Judicial District of Texas, to divest such jurisdiction from the criminal district court of Cameron County, county court of Cameron County, at Law and the county court of Cameron County, providing for the fixing of the compensation of the judge for the additional duties so provided for the district court of Cameron County for the 103rd Judicial District of Texas, and declaring an emergency."

The committee report was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Woodul the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 148 was put on its third reading and final passage, by the following vote:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

Read third time and finally passed by the following vote:

Yeas—29.

Beck.	DeBerry.
Berkeley.	Gainer.
Cousins.	Greer.
Cunningham.	Hardin.

Holbrook.
Hopkins.
Hornsby.
Loy.
Martin.
Moore.
Neal.
Oneal.
Parr.
Parrish.
Patton.

Poage.
Pollard.
Purl.
Rawlings.
Russek.
Stevenson.
Thomason.
Williamson.
Woodruff.
Woodul.

Absent—Excused.

Small.

Woodward.

Request for Permission To Consider Bills.

Senator Moore sent up the following request:

I ask that the Constitutional Rule preventing hearing and committee reports on general bills be suspended and the State Affairs Committee be permitted to hold hearing and report on the following bills:

Senate Bills Nos. 124, 113, 156, 168, 129, 91, 185, 110, 178, 119 and 111.

MOORE, Chairman.

Senator Stevenson raised the point of order that it was not necessary to get such permission in order for the Committee to act.

The Chair, Senator Hardin, held that it would be necessary to obtain a four-fifths affirmative vote in order for committees to consider bills of a general nature.

Senator Purl sent up the following point of order:

I raise point of order that the Constitution can not be suspended by a Blanket Vote. But a vote must be taken on each separate measure.

PURL.

The Chair sustained the point of order.

Permission for the Committee to take up these bills was granted by the following vote:

To consider and report S. B. No 124:

Yeas—29.

Beck.	Hardin.
Berkeley.	Holbrook.
Cousins.	Hopkins.
Cunningham.	Hornsby.
DeBerry.	Loy.
Gainer.	Martin.
Greer.	Moore.

Neal.	Rawlings.
Oneal.	Russek.
Parr.	Stevenson.
Parrish.	Thomason.
Patton.	Williamson.
Poage.	Woodruff.
Pollard.	Woodul.
Purl.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 113:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 156:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 168:

Yeas—29.

Beck.	Cousins.
Berkeley.	Cunningham.

DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Pollard.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Stevenson.
Martin.	Thomason.
Moore.	Williamson.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 129:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 91:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small.	Woodward.
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To consider and report S. B. No. 185:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

To consider and report S. B. No. 110:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

To consider and report S. B. No. 111:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

To consider and report S. B. No. 178:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

To consider and report S. B. No. 119:

Yeas—29.

Beck.	Oneal.
Berkeley.	Parr.
Cousins.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Purl.
Hardin.	Rawlings.
Holbrook.	Russek.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	

Absent—Excused.

Small. Woodward.

Adjournment.

On motion of Senator Berkeley, the Senate, at 3:30 o'clock p. m., adjourned until 10 o'clock Friday morning.

APPENDIX.

Petitions and Memorials.

February 5, 1921.

Secretary of the Senate, Senate Chamber, Austin, Texas.

Dear Sir: Pursuant to authority

granted by the Senate today, please consider this official request to have printed prior to their consideration the following numbered Senate Bills: 83, 41, 26.

PURL,
POAGE,
GREER.

The State of Texas
STATE HIGHWAY DEPARTMENT
Austin.

February 4, 1931.

To the Senate of Texas:

Gentlemen: We have a copy of Senate Resolution No. 10, adopted January 19, 1931, requesting us to submit information and data within our possession touching the operation of trucks and bus lines over the State highways, and relating to injury to the highways and danger to persons and property, together with our recommendations as to such measures as we deem necessary.

1. As to the maximum weight of vehicles and loads:

It is respectfully submitted that very great damage has been done to the highways of Texas in the past few months which may be attributed to too much weight and too much load allowed vehicles under the law of this State. The Department has in its possession certain data as to the effect of overloading on highways which is available to the Legislature and which you may secure from Mr. Gibb Gilchrist, State Highway Engineer.

There are many highways in Texas that should not carry more than a maximum weight of 5,000 pounds, while other highways could easily carry 20,000 pounds. If trucking privileges should be granted to only Class "A" trucks, and Class "B" trucks and unclassified trucks operating under contract abolished, then it should be easy to protect the highways not able to carry unusual loads, as the Railroad Commission, in granting Class "A" permits, should take in consideration the character of highways to be traversed by such trucks. In this connection we desire to state that the law should be so amended that the Railroad Commission should be required to secure the permission of the Highway Department before granting permits for certain classes

of trucks to operate on certain roads.

Several States have laws giving their highway departments power and authority to classify highways under their jurisdiction as to the amount of tonnage that shall be permitted on such highways, and we are of the opinion that a law of this kind in our State would have a tendency, in a measure, to solve the problem of too much weight on the highways.

Under Article 834 of the Penal Code authority is given the Commissioners' Courts or the State Highway Commission to regulate the tonnage of trucks and heavy vehicles, which, by reason of the construction of the vehicle or its weight and tonnage, shall tend to rapidly deteriorate or destroy the roads, bridges and culverts along the particular road or highway sought to be protected, and requires that notices shall be posted, and state the maximum load permitted, etc., but the Article further gives the operator of any such vehicle the right to complain, in writing, to the County Judge of such county, and make such County Judge the final arbiter as to whether or not such vehicle might be operated on the road in question. Our opinion is that that statute should be amended so that the Highway Department will have sole jurisdiction in the matter of whether or not certain vehicles should be used on particular roads. Our conclusion is that the depreciation of the highways is due to heavy loads hauled over them and not to the large number of private automobiles and light trucks that are being used and that the only way that their destruction can be stopped is to reduce the weight of the loads.

2. The height, weight and other dimensions of vehicles and loads:

Relative to this inquiry it is respectfully recommended, that, in our opinion, the height of vehicles and load should not exceed twelve (12) feet. During the past ten years there have been quite a number of underpasses constructed on the State highways of Texas. There are probably one hundred underpasses in the State of Texas which have a vertical clearance of less than 14 feet. Some of them have a vertical clearance less than 10 feet. Between Fort Worth and Vernon there are three locations where the under-

passes have clearances less than 12 feet. One of them is at Bowie under the F. W. & D. C. R. R., for which the clearance is 10 feet. Two are at Wichita Falls which have a clearance of 9 feet 9 inches under the F. W. & D. C. R. R. and under the F. W. & D. C. Railroad at Oklaunion near Vernon the clearance is 10 feet 11 inches.

There are two hundred or more bridges on the State Highway system which have been built in the last twelve years which are of the through truss type in which the portals have a clearance at the center of 14 feet and at the sides of only 11½ feet, making a total of three hundred structures on the State Highway System which have a vertical clearance less than 12 feet for the entire width of roadway. However, for the steel spans which have portals with side brace the part of restricted clearance on the side is for a very short distance and as a usual rule there is a width of 10 feet in the middle of the structure which has a full clearance of 14 feet but this brings about an unusually dangerous condition when a large moving van is crossing a bridge and is met by another car. The moving van has to move over to one side to let the other car get by and as a usual rule the driver of the moving van forgets about the side brace and portal of the span and as a result collides with the same which results in damage.

The American Association of State Highway Officials, an association composed of both State and Federal officials, whose committees constitute the medium of expression of the Federal Bureau of Public Roads on the regulation of commercial vehicles, and the composite opinion of the various State Commissions, have given this subject considerable attention. This Association has recommended that the maximum gross height of load should not exceed twelve (12) feet. The National Conference on Street and Highway Safety has likewise recommended a maximum gross height of load of twelve (12) feet.

Relative to the width of vehicles we quote from our Biennial Report which is not yet off the press:

"We wish to renew our recommendation of two years ago and again urge that more restrictions be

placed on the size and weight of vehicles using the State highways and that more enforcement facilities and personnel be provided. We believe that the authorized maximum width of any vehicle should be between 84 and 90 inches, preferably the former, but certainly no greater than 90 inches, and that the height be restricted to twelve (12) feet."

Safety cannot be maintained without ample clearance. Vehicles of greater width than 84 to 90 inches are not safe on an 18 foot highway. Glaring lights are one of the big hazards which the motorist has to face. In the absence of a clear center-line marker, one is subjected to danger every time he meets a big car on the highway at night. This danger is greatly augmented when the pavement is wet. The tendency is to turn out to make the clearance sure and a new hazard threatens in the liability of the righthand wheel running off of the pavement into the soft mud. Our judgment is that 84 inches would be much safer than 90 inches.

With respect to length of vehicles, we recommend the maximum length of any combination of vehicles coupled together should not exceed 45 feet, and the maximum length of any single vehicle should not exceed 30 feet.

3. The speed of operation of such vehicles:

We recommend that a maximum speed for a motorbus be limited to thirty-five (35) miles per hour, and for trucks from twenty (20) to thirty (30) miles per hour, depending upon their weight. We believe that the present law regulating speed of commercial vehicles is too lenient. The law is worded in such a way that it applies only to the gross weight of a motor vehicle and does not apply to the gross weight of a motor vehicle with trailer attached. In other words, a truck now may lawfully be operated on the highways where the truck is of a gross weight of 10,000 pounds and a trailer of a gross weight of 10,000 pounds at a rate of speed of thirty-five miles per hour, which, in our opinion, is entirely too fast for a gross weight of 20,000 pounds.

We further respectfully recommend that the penalty for the violation of laws regulating the size,

weight, height and speed of commercial vehicles be increased.

4. Such other recommendations regarding this matter as said Commission may desire to submit.

We recommend that within a reasonable time that the use of solid or steel tires on motor vehicles weighing more than 2000 pounds be prohibited.

There are many other matters respecting the operation of motor vehicles upon the highways that we might mention but the information and experience of the officials in the Highway Department will be available at any time required.

Respectfully submitted,

W. R. ELY,

D. K. MARTIN.

Members of the Commission.

STATE BOARD OF CONTROL

Austin.

February 5, 1931.

Hon. Bob Barker, Secretary of the Senate, Austin, Texas.

Dear Sir: Simple Resolution No. 29 was delivered to the Board of Control on February 4.

Permit us to say that the Board of Control had been making a survey previous to the passing of the resolution, trying to determine in what way additional space could be secured for the Attorney General's Department.

We have completed this survey and find that the only space in the Capitol which does not seem to be in use is the room adjacent to the Senate Chamber, formerly occupied by the American Legion.

If it is satisfactory with the Senate, it will be our pleasure to assign this room to the Attorney General's Department.

There is also some space in the Land Office Building, which was formerly occupied by the Game Department, that is available, but this space has no outside exposure, and would have to be artificially lighted, which would probably not be very satisfactory to the Attorney General's Department.

The above-named spaces are the only two spaces that could be made available for the Attorney General's Department at this time.

Very respectfully yours,

CLAUDE D. TEER, Chairman;

R. I. TENNANT, Member;

ADRIAN POOL, Member.

Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 147 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 146 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 145 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 144 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed bills have had S. B. No. 143 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 142 carefully examined and compared and find the same correctly engrossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 139
carefully examined and compared
and find the same correctly en-
grossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on En-
grossed Bills, have had S. B. No. 175
carefully examined and compared
and find the same correctly en-
grossed.

HARDIN, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on En-
grossed Bills have had S. B. No. 76
carefully examined and compared
and find the same correctly en-
grossed.

HARDIN, Chairman.

Committee Reports.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on State
Affairs, to whom was referred

S. B. No. 46, A bill to be entitled
"An Act providing for the appoint-
ment of a juvenile officer and as-
sistant juvenile officers in counties
having a population of more than
three hundred thousand population,
fixing their duties and salaries, and
term of office and declaring an emer-
gency."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass, and
be not printed.

MOORE, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on
Banking, to whom was referred

S. B. No. 48, a bill to be entitled

"An Act to amend Article 431, Re-
vised Civil Statutes of 1925."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on
Banking, to whom was referred

S. B. No. 49, a bill to be entitled
"An Act to prevent the loan of trust
funds by a state bank, state bank
and trust company or other corpora-
tion doing a trust business, to any
director, officer or employee thereof,
and to provide a penalty therefor."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,
Austin, Texas, Feb. 5, 1931.
Hon. Edgar E. Witt, President of
the Senate:

Sir: We, your Committee on
Banking, to whom was referred

S. B. No. 50, a bill to be entitled
"An Act to provide that no revoca-
tion, countermand or stop payment
order, relating to the payment of
any check or draft against an ac-
count of a depositor in any State
Bank, State Bank and Trust Com-
pany, doing business in this State,
shall remain in effect for more than
ninety (90) days after the service
thereof on the bank, unless the same
be renewed, which renewal shall be
in writing, and which renewal shall
be in effect for not more than ninety
(90) days from the date of service
thereon on the State Bank, State
Bank and Trust Company and such
renewals may be made from time
to time; and to further provide that
all notices affecting checks or drafts
upon which revocation, countermand
or stop payment order has been
made at the time of taking effect
of this Act, shall not be deemed in
effect after the ninety (90) day
period from the passage of this
bill."

Have had the same under consid-
eration, and I am instructed to re-
port it back to the Senate with the
recommendation that it do pass.

RUSSEK, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 844, A bill to be entitled "An Act to allow Office and Traveling Expense of the Superintendents of Public Instruction in each county in Texas having a population of not less than 18,755 nor more than 18,765 according to the Federal Census of 1930; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 148, A bill to be entitled "An Act to fix the jurisdiction of the Juvenile Court in Cameron County for the 103rd Judicial District of Texas, to divest such jurisdiction from the Criminal District Court of Cameron County, County Court of Cameron County at Law, and the County Court of Cameron County; Providing for the fixing of the compensation of the Judge for the additional duties so provided for the District Court of Cameron County for the 103rd Judicial District of Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

MOORE, Chairman.

Committee Room,

Austin, Texas, Feb. 5, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 200, a bill to be entitled "An Act fixing the salary of the County Superintendent of Public Instruction in a certain class of coun-

ties according to population, said salary to be paid in the same manner and out of the same funds as provided for county superintendent under the laws of this State, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, Feb. 4, 1931.

Hon. Edgar E. Witt, President of the Senate:

Sir: We your Committee on State Affairs, to whom was referred

H. B. No. 111, a bill to be entitled "An Act amending Chapter 21 of the Acts of the Second Called Session of the Forty-first Legislature, providing for open season on squirrels in certain counties; Providing penalty; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass with Committee Amendment.

MOORE, Chairman.

Committee Amendment.

Amend House Bill No. 111 by adding after the word "Anderson" in line 11 of Section 1, the following: "Brazoria and Matagorda".

NINETEENTH DAY.

Senate Chamber,

Austin, Texas, Feb. 6, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Martin.
Berkeley.	Moore.
Cousins.	Neal.
Cunningham.	Oneal.
DeBerry.	Parrish.
Gainer.	Patton.
Greer.	Poage.
Hardin.	Purl.
Hopkins.	Rawlings.
Hornsby.	Russek.
Loy.	Stevenson.